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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
PAUL D. LEVIN, ET AL
Serial No. 10/693,128
Filed: October 24, 2003
For: SINGLE-USE LANCET DEVICE

Art Unit: 3731

March 22, 2005

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The above-identified applicants hereby submit comments regarding pertinent prior art of which they are presently aware.

This Information Disclosure Statement is submitted under 37 CFR § 1.97 (b) (3) and no filing fee is required. The undersigned has not received any Office action to date in this application.

1. The Marshall U.S. patent 5,487,748 dated January 30, 1996 provides a lancet which can be easily recocked after use. The needle cap can simply be replaced over the end of the lancet and pushed inward to once again recock the spring of the lancet. In contrast, the present invention is incapable of reuse.

1 2. Owen Mumford International Publication WO 02/43591 dated June 6, 2002
2 teaches a single use device in which the needle carrier has integrally formed spring arms
3 extending rearwardly and alongside the lancet so that, after firing, those arms will catch on
4 abutments within the barrel of the device if recocking is attempted by the user. A
5 disadvantage of this device is that, if the lancet is pulled outward momentarily before being
6 cocked by the user, the spring arms catch on the abutments and the device cannot be cocked.

7 3. The Levin et al U.S. patent 6,168,606 dated January 2, 2001 teaches a lancet
8 device having a thin plastic fiber attached between the pull tab and the needle safety cap to
9 prevent compressive forces from being applied to the drive spring. The device must be
10 cocked during manufacture and is meant to be used after pulling off the finger tab to expose
11 the needle. A disadvantage of this device is that a small bare area of the needle must remain
12 exposed which could possibly result in airborne contamination since the device is not
13 hermetically sealed.

14 4. The Crossman U.S. patent 6,719,771 dated April 13, 2004 teaches a lancet
15 device in Fig. 8 having a head 28 carried by a narrow neck 27. The neck 27 is sliced as the
16 trigger 18 is depressed. This mechanism does not provide a trigger bar that sits downstream
17 of the lancet as in the present invention. Furthermore, the '771 patent in the embodiment of
18 Fig. 8 includes a frictional engagement between the head 28 and the downwardly extending
19 portion of trigger 18 which severs the head 28. The friction would tend to increase the force
20 required to actuate the trigger. It would also tend to make the fabrication and assembly
21 process more difficult.

22 5. The Czernecki et al U.S. patent 5,356,420 dated October 18, 1994 teaches a
23 lancet having perimeter wings 11. The wings 11 may bend as shown in Fig. 2 wherein they
24 will tend to cause friction between the lancet and the barrel. The patent teaches alternately
25 breaking of the wings 11, which would tend to require a greater force on the trigger than is the
26 case with the present invention. The preferred embodiment of the present invention severs

1 the trigger bar with a blade. Czernecki uses no blade and therefore requires a force strong
2 enough to either break or bend the wings through approximately a 90° angle.

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4 Respectfully submitted,

5
6 By Bruce H. Johnsonbaugh
7 Bruce H. Johnsonbaugh
8 Reg. No. 24,982
9 Attorney for Applicants
10
11

12 ECKHOFF & HOPPE
13 333 Sacramento Street
14 San Francisco, CA 94111
15 Telephone: 415-391-7160
16 9338.inf

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21 **_____, Commissioner for Patents,**
22 **P.O. Box 1450, Alexandria, VA 22313-1450,**
23 **on March 22, 2005**
24 **Reg. No. 24,982 of Eckhoff & Hoppe**

25 Bruce H. Johnsonbaugh
26 **Signature**
3/22/2005
Date

